

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
BRYSON CITY DIVISION
2:10-cv-31**

CHAD OWL,
Plaintiff,

vs.

**EMBREE-REED, INCORPORATED, a
Virginia Corporation,**

Defendant/Third-Party Plaintiff

**W. G. YATES & SONS CONSTRUCTION
COMPANY AND RENTENBACH
CONSTRUCTORS INCORPORATED
d/b/a YATES/RENTENBACH A JOINT
VENTURE AND ASHEVILLE CRANE, INC.,**

Third-Party Defendants.

ORDER

ON MARCH 29, 2011 the undersigned entered a Pretrial Order and Case Management Plan (#26) in the above entitled matter. In the pretrial order the following directive was entered:

IV. ALTERNATIVE DISPUTE RESOLUTION

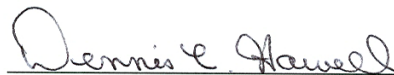
C. Within twenty-one (21) days of the entry of this Order the parties shall select and agree upon a mediator and shall file with the Court a report stating the identity of the mediator selected. If the parties are unable to agree upon a mediator they shall, within twenty-one (21) days of the entry of this Order, file with the Court a report stating that they have been unable to agree upon a mediator and the reasons for such inability.

The directed report that should have been filed by April 19, 2011 has not been filed by the parties. The parties are hereby directed to file the report on or before June 21, 2011. If the report has not been filed by that time then a hearing will be scheduled in regard to this issue.

ORDER

IT IS, THEREFORE, ORDERED that the parties in this matter file the report as set forth above regarding the selection of a mediator on or before **June 21, 2001**.

Signed: June 7, 2011



Dennis L. Howell
United States Magistrate Judge

